

641—37.81 (136C) Reporting of events.

37.81(1) The shipping licensee shall notify the appropriate LLEA and the agency at (515)281-3478 (normal hours) or (515)323-4360 (after hours and holidays) within 1 hour of the shipping licensee's determination that a shipment of category 1 quantities of radioactive material is lost or missing. The appropriate LLEA would be the law enforcement agency in the area of the shipment's last confirmed location. During the investigation required by 37.79(3), the shipping licensee will provide agreed-upon updates to the agency on the status of the investigation.

37.81(2) The shipping licensee shall notify the agency at (515)281-3478 (normal hours) or (515)323-4360 (after hours and holidays) within 4 hours of the shipping licensee's determination that a shipment of category 2 quantities of radioactive material is lost or missing. If, after 24 hours of its determination that the shipment is lost or missing and the radioactive material has not been located and secured, the licensee shall immediately notify the agency.

37.81(3) The shipping licensee shall notify the designated LLEA along the shipment route as soon as possible upon discovery of any actual or attempted theft or diversion of a shipment or suspicious activities related to the theft or diversion of a shipment of a category 1 quantity of radioactive material. As soon as possible after notifying the LLEA, the licensee shall notify the agency at (515)281-3478 (normal hours) or (515)323-4360 (after hours and holidays) upon discovery of any actual or attempted theft or diversion of a shipment, or any suspicious activity related to the shipment, of category 1 radioactive material.

37.81(4) The shipping licensee shall notify the agency at (515)281-3478 (normal hours) or (515)323-4360 (after hours and holidays) as soon as possible upon discovery of any actual or attempted theft or diversion of a shipment, or any suspicious activity related to the shipment, of a category 2 quantity of radioactive material.

37.81(5) The shipping licensee shall notify the agency at (515)281-3478 (normal hours) or (515)323-4360 (after hours and holidays) and the LLEA as soon as possible upon recovery of any lost or missing category 1 quantities of radioactive material.

37.81(6) The shipping licensee shall notify the agency at (515)281-3478 (normal hours) or (515)323-4360 (after hours and holidays) as soon as possible upon recovery of any lost or missing category 2 quantities of radioactive material.

37.81(7) The initial telephonic notification required by 37.81(1) through 37.81(4) must be followed within a period of 30 days by a written report submitted to the agency. A written report is not required for notifications on suspicious activities required by 37.81(3) and 37.81(4). The report must set forth the following information:

- a.* A description of the licensed material involved, including kind, quantity, and chemical and physical form;
- b.* A description of the circumstances under which the loss or theft occurred;
- c.* A statement of disposition, or probable disposition, of the licensed material involved;
- d.* Actions that have been taken, or will be taken, to recover the material; and
- e.* Procedures or measures that have been, or will be, adopted to ensure against a recurrence of the loss or theft of licensed material.

37.81(8) Subsequent to filing the written report, the licensee shall also report any additional substantive information on the loss or theft within 30 days after the licensee learns of such information.